

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

PAMELA MILLER,

Plaintiff,

Case No.5:03-cv-71

v.

HON. DAVID W. McKEAGUE

LANSING HOUSING COMMISSION,  
CHRIS STUCHELL and ROCHELLE  
HATCHER,

Defendants.

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**PARTIAL JUDGMENT ORDER**

Plaintiff Pamela Miller having brought action against defendants Lansing Housing Commission, its Executive Director Chris Stuchell, and Rochelle Hatcher, Section 8 Coordinator, under 42 U.S.C. § 1983, challenging the decision to terminate her participation in the Section 8 housing assistance program; and

The Court having on June 26, 2003, issued a preliminary injunction ordering defendants to restore plaintiffs' housing assistance subsidy pending adjudication of the merits of plaintiff's claim; and

The Court having remanded the matter to the Lansing Housing Commission for reconsideration of its decision and for preparation of a complete record of proceedings that would be subject to judicial review; and

The Lansing Housing Commission having reconsidered and confirmed its termination decision on October 15, 2003; and

The Court having carefully considered the administrative record, as well as the parties' briefs and oral arguments in furtherance of judicial review; and

The Court finding that the Lansing Housing Commission's decision fails to satisfy the requirements of 24 C.F.R. § 982.555(e), is not supported by substantial evidence, and constitutes an abuse of discretion;

Now therefore, and for the reasons more fully set forth on the record during the hearing on April 22, 2004,

**IT IS HEREBY ORDERED** that the October 15, 2003 decision of the Lansing Housing Commission is **REVERSED**; and

**IT IS FURTHER ORDERED** that the Court's preliminary injunction of June 26, 2003 is hereby made **PERMANENT**, such that Pamela Miller's participation in the Section 8 housing assistance program shall be fully reinstated, and the suspected misconduct which formed the basis for the termination decision shall have no impact on her continuing eligibility to participate in the program henceforward; and

**IT IS FURTHER ORDERED** that the question of plaintiff's entitlement to damages is reserved for future proceedings, if needed.

Dated: April 22, 2004

/s/ David W. McKeague  
DAVID W. McKEAGUE  
UNITED STATES DISTRICT JUDGE